



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

November 17, 2005

BOZICEVIC, FIELD & FRANCIS LLP
1900 UNIVERSITY AVENUE
SUITE 200
EAST PALO ALTO, CA 94303
US

Dear Sir/Madam,

Your refund request for 10506959 in the amount of \$695.00 has been denied .

Small entity status fee not refundable. The time has expired for the refund of this fee. A refund based on establishment of small entity status may only be obtained if a verified statement under 37 CFR 1.27 and a request for the refund of excess amount are filed within three months of timely payment of the full fee (37 CFR 1.28).

Sincerely,


RITA WHITE

PCT - National
703 308-9140 x231

VIA Facsimile 571-273-7300

2 PAGES

(Courtesy Copy to: Refund Division: 571-273-6500)

REQUEST FOR REFUND UNDER 37 CFR § 1.28(a) Address to: BOX Refund Division Assistant Commissioner for Patents Washington, D.C. 20231	Attorney Docket	AERX-115
	First Named Inventor	ANDERSON, GREGOR JOHN
	Application Number	10/506,959
	Filing Date	September 14, 2005
	Group Art Unit	To Be Assigned
	Confirmation No.	To Be Assigned
	Examiner Name	To Be Assigned
	Title:	"NOVEL DEVICE"

Sir:

This is a request for a refund under 37 CFR § 1.28(a) for one half of the large entity filing fee of \$1390.00 which was charged to our Deposit Account No. 50-0815, as shown on our statement dated September 30, 2004 for the above-identified application. A copy of the monthly statement in which the charge appears is included with this request.

On September 7, 2004, we submitted a 371 National Phase Patent Application Transmittal erroneously indicating the above referenced patent application as a Large Entity. Upon receipt of the formal documents for filing the Response to the Missing Requirements, our client informed us that the above-reference case was entitled to Small Entity status. The undersigned hereby asserts that Applicants are entitled to Small Entity Status as defined under 37 CFR 1.27. This request for refund is being submitted within three months of the date we were informed of the error in entity status.

Please deposit the refund in the amount of \$695.00 into Deposit Account No. 50-0815.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: 4/10/05By: Karl Bozicevic

Karl Bozicevic
Registration No. 28,807

BOZICEVIC, FIELD & FRANCIS LLP
1900 University Avenue, Suite 200
East Palo Alto, CA 94303
Telephone: (650) 327-3400
Facsimile: (650) 327-3231

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Oct. 4. 2005 11:38AM BFF

No. 0605 P. 2



UNITED STATES
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MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

BOZICEVIC, FIELD & FRANCIS, LLP
ACCOUNTING
200 MIDDLEFIELD ROAD
SUITE 200
MERID PARK CA 94025

FINA

Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov

Account No.	500815
Date	9-30-04
Page	4

PLEASE SEND REMITTANCES TO:
U. S. Patent and Trademark Office
P.O. Box 70541
Chicago, IL 60673

DATE POSTED MO. DAY YR.	CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
9 10 04	140	09935061	STAN-213	2401	165.00	2343.00
9 10 04	140	10933025	UCAL-238CON	8021	40.00	2383.00
9 10 04	141	10857137	CELL-1261P	2051	65.00	2448.00
9 10 04	142	107019	AERX-058CONS	1202	468.00	2916.00
9 10 04	184	09946713	LIFE-038	1507	1330.00	4246.00
9 10 04	285	09946215	LIFE-038	1507	300.00	4546.00
9 10 04	286	09946215	LIFE-038	8001	30.00	4576.00
9 10 04	287	10026936	STAN066DV	2501	665.00	5241.00
9 10 04	288	10026936	STAN066DV	1504	300.00	5541.00
9 10 04	289	10026936	STAN066DV	8001	30.00	5571.00
9 10 04	333	76394732	BEAR-TOT2	7004	50.00	5621.00
9 10 04	367	76394732	BEAR-TOT2	7003	50.00	5671.00
9 10 04	392	76177317	BEAR-TOT2	7003	50.00	5721.00
9 13 04	4	0984292	1358401	2314	-55.00	5666.00
9 13 04	20	10803458	TOK-006CO	2001	40.00	5706.00
9 13 04	21	10803458	TOK-006CO	2002	90.00	5796.00
9 13 04	139	10933855	RISL-012CON	8021	40.00	5836.00
9 13 04	197	PCT/US04/28970	SEEK-008WO	1001	300.00	6136.00
9 13 04	198	PCT/US04/28970	SEEK-008WO	1002	1000.00	7136.00
9 13 04	199	PCT/US04/28970	SEEK-008WO	1001	1053.00	8189.00
9 13 04	200	PCT/US04/28970	SEEK-008WO	1003	168.00	8357.00
9 13 04	201	PCT/US04/28970	SEEK-008WO	8007	20.00	8377.00
9 13 04	234	PCT/US04/27509	NTH-029WO	1005	600.00	8977.00
9 13 04	235	PCT/US04/27509	NTH-029WO	1005	162.00	9139.00
9 13 04	266	PCT/US04/24369	CHOR-005WO	1005	600.00	9739.00
9 13 04	267	PCT/US04/24369	CHOR-005WO	1005	162.00	9901.00
9 14 04	22	10938227	CELL-014CON	2001	385.00	10286.00
9 14 04	23	10938227	CELL-014CON	2202	70.00	10356.00
9 14 04	204	10506959	AERX-115	1613	920.00	11276.00
9 14 04	205	10506959	AERX-115	1615	180.00	11456.00
9 14 04	206	10506959	AERX-115	1616	290.00	11746.00
9 15 04	1	09812485	BEAR-058-1	2201	12.00	11758.00
9 15 04	4	10057846	SHAR-020	2253	475.00	12233.00
9 15 04	8	10938968	LIFE-038TV	1001	70.00	12303.00
9 15 04	18	60609046	TOSK-008PRV4	1005	80.00	12383.00
9 15 04	23	60609083	FDS-004PRV	2005	80.00	12463.00
AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT			OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE